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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Jonathan Zmuda, et al.

For : ORAL FLUID RAPID ASSAY FOR  
HEPATITUS C VIRUS (HCV)  
ANTIBODIES USING NON-  
ANTIBODY LABELING OF IgA  
MOLECULES RECOGNIZING HCV  
PEPTIDE EPITOPE

Serial No. : 09/938,131

Filed : August 23, 2001

Group Art Unit : 1641

Examiner : Unknown

Last Office Action : None

Attorney Docket No. : LIO 2 0081  
Cleveland, Ohio 44114-2518

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION UNDER 37 CFR 1.53(c)**

Commissioner for Patents  
Box Missing Parts  
Washington, D. C. 20231

Dear Sir:

In connection with the above-entitled case, please find enclosed the Patent Office return copy of the Notice to File Missing Parts of Provisional Application issued September 27, 2001, as well as the fully executed Declaration and Power of Attorney for Patent Application signed by all inventors.

In accordance with 37 CFR 1.84 applicants submit seven (7) sheets of substitute Formal Drawings, including Figures 1-7.

A check in the amount of Sixty Five Dollars (\$65.00) is enclosed to cover the surcharge required under 37 CFR 1.16(e). Please charge any additional fees or credit any overpayments to Deposit Account No. 06-0308.

The foregoing submissions are believed to meet the requirements of the Notice to File Missing Parts, and the applicants await further action on the application from the Patent and Trademark Office.

Respectfully submitted,

**FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP**

February 8, 2001

Date



Brian B. Bembenick  
Reg. No. 41,463  
1100 Superior Avenue  
7th Floor  
Cleveland, Ohio 44114-2518  
216/861-5582

**CERTIFICATE OF MAILING**

I hereby certify that this **RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR 1.53(c)** is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231, on February 8, 2002.



Caroline A. Schweter



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/938,131	08/23/2001	Ray Zmuda	LIO 20081

CONFIRMATION NO. 1717

FORMALITIES LETTER



\*OC000000006801257\*

Richard J. Minnich  
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP  
Seventh Floor  
1100 Superior Ave.  
Cleveland, OH 44114-2518

Date Mailed: 09/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

*SL*

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Initial Patent Examination Division (703) 308-1202

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